

### REMARKS

Applicant appreciates the detailed examination evidenced by the Office Action. The Office Action has rejected Claims 1, 2, 14, 15, 23, and 29 under 35 U.S.C. Sec. 102(b) as being anticipated by U.S. Patent No. 6,363,248 to Silverman (hereinafter "Silverman"), and has rejected Claims 1, 4-6, 8-12, 14, 17-19, 21, 22, 25, and 29 under 35 U.S.C. Sec. 102(e) as being anticipated by U.S. Patent Application Publication No. 2005/0096029 to Palaez (hereinafter "Palaez"). Claims 3, 4, 13, 16, 17, and 26-28 have been amended to independent form including all of the recitations of their respective base claims and intervening claims. The computer program product of Claim 29 has been amended to include similar recitations to amended independent Claim 4. Dependent Claims 2 and 5-12 have been amended to now depend from amended independent Claim 4, and Claims 15 and 18-25 have been amended to now depend from amended independent Claim 17. Claims 1 and 14 have been canceled.

Applicant submits that the rejections based on Silverman have been overcome by the present amendments.

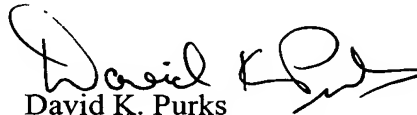
With respect to the rejections based on Palaez, Applicant has submitted herewith a Declaration of Thomas Deitrich pursuant to 37 C.F.R. 1.131. As explained in the Declaration, Thomas Deitrich conceived and reduced to practice the subject matter of the instant application in the United States prior to October 29, 2003, the filing date of Palaez. Consequently, Palaez does not qualify as prior art to the present application under 35 U.S.C. Sec. 102(e). Accordingly, based on the showing in the attached Declaration, Applicant respectfully requests that the rejection of the pending claims under 35 U.S.C. Sec. 102(e) over Palaez be withdrawn.

Accordingly, Applicant submits that the pending claims are patentable over the cited art, and submits that the present application is in condition for allowance, which action is respectfully requested.

In re: Thomas L. Deitrich  
Serial No.: 10/722,198  
Filed: November 26, 2003  
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If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

Respectfully submitted,



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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 17, 2005.

  
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Audra Wooten